

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

MidFirst Bank, on behalf of Robert White)
and Linda H. Lawson,)

Plaintiff,)

v.)

Administrator of Veterans Affairs, an)
Officer in the United States of America)

Defendant.)
_____)

Civil Action No.: 0:18-cv-01850-JMC

CONSENT ORDER

THIS MATTER came before the court upon Complaint of Plaintiff MidFirst Bank, on behalf of Robert White and Linda H. Lawson (“Plaintiff”), seeking to quiet title to the property commonly known as 1063 Glenarden Dr., Rock Hill, South Carolina, 29223, in favor of Robert White and Linda H. Lawson. (ECF No. 1.) For good cause shown, and as evidenced by the parties’ signatures herein below, Plaintiff and Defendant Administrator of Veterans Affairs, an Officer in the United States of America (“Defendant”), consent and agree as follows:

1. Defendant acquired its interest in the property that is the subject of this action by virtue of the Special Referee’s Deed dated September 16, 1985, and recorded in the Office of the Clerk of Court for York County in Book 841 at Page 56 on September 16, 1985, at which Cameron-Brown Company was the successful bidder at public action and subsequently assigned its bid to Defendant.

2. The subject property is more sufficiently described as follows:

All that certain piece, parcel, lot or lot of land, lying, being and situate on the northern side of Glenarden Drive, in the City of Rock Hill, York County, South Carolina, and being more particularly shown and described on Plat of Property of Michael O. Mackey, drawn by J.B. Fisher, R.L.S., on August 19, 1983, and being described according to said plat as follows: BEGINNING at a point on the northern edge of Glenarden Drive at a point 190.31 feet west from Robbie Lane and running thence with Glenarden Drive N. 82-22-26 W. 99.06 feet to an iron; thence running N. 20-13-06 E. 143.49 feet to an iron; thence running S. 82-

20-23 E. 68.06 feet to an iron; thence running S. 7-44-30 W. 140.00 feet to the point of beginning.

TMS#: 623-05-05-001

Property Address: 1063 Glenarden Dr., Rock Hill, South Carolina 29223

3. Thereafter, Defendant entered into an Installment Contract for the Sale of the above-described property to Robert White and Linda H. Lawson dated August 12, 1986, and recorded in the Office of the Clerk of Court for York County in Book 993 at Page 333 on August 13, 1985.

4. By Assignment dated November 3, 1998, and recorded on November 12, 1998, in Book 2469 at Page 104, Nationsbanc Mortgage Corporation, as successor in interest by merger with Boatmen's National Mortgage Inc., F/K/A National Mortgage Company assigned its interest in the Installment Contract to Plaintiff.

5. Thereafter, to correct the break in the chain of title of assignments, Defendant assigned its interest in the Installment Contract to Nationsbanc Mortgage Corporation, as successor in interest by merger with Boatmen's National Mortgage Inc., F/K/A National Mortgage Company by Assignment dated September 28, 2016, and recorded on October 21, 2016, in Book 16011 at Page 307.

6. Plaintiff has received all payments due and owing under the Installment Contract from Robert White and Linda H. Lawson.

7. Despite the parties' fulfillment of all obligations pursuant to the Installment Contract, Plaintiff is unable to obtain a deed vesting title to the subject property in the name of Robert White and Linda H. Lawson.

8. Defendant no longer possesses any interest in the subject property.

9. Despite the parties' satisfaction of all obligations under the Installment Contract and the conveyances set forth herein, Defendant is incorrectly reflected as the title holder to the subject property in the public records of Richland County.

THEREFORE, based upon the Plaintiff's satisfaction of the loan associated with the corresponding Installment Contract assigned to Plaintiff, Robert White's and Linda H. Lawson's fulfillment of all obligations pursuant to said Installment Contract, Defendant's disclaimer of any interest in the subject property, and the parties' consent hereto, it is Ordered that:

1. Title in and to the subject property is hereby quieted in favor of Robert White and Linda H. Lawson in fee simple absolute;

2. Robert White and Linda H. Lawson are hereby vested title to the subject property in fee simple absolute; and

3. Pursuant to South Carolina Code Sections 15-53-20 *et seq.* (2005), Robert White and Linda H. Lawson are hereby declared to be the sole owner in fee simple, forever barring any claim and/or right of the party Defendant(s) who might claim any right, title, interest in, or lien upon the real estate described in Plaintiff's Complaint.

IT IS SO ORDERED.



United States District Judge

October 3, 2018
Columbia, South Carolina

WE SO CONSENT:

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